

REMARKS

Claim 1 is the only claim pending in the application. Claim 1 was previously amended to incorporate Claims 2-5.

Claims 1-3 and 5 have been rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over JP 11-217511 (“Suzuta”).

Claims 1-5 have also been rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 5,585,431 (“Igarashi”).

Claims 1-3 and 5 have also been rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 5,910,523 (“Hudson”).

Applicants respectfully traverse, because none of the cited references disclose or suggest Applicants’ claimed olefin polymer composition. Moreover, it is not proper to place the burden on Applicants in this instance to disprove the allegation of unpatentability, because the cited references do not identify either the coagulation degree θ , or its constituent parts as result-effective variables. Because the cited art does not teach or suggest the optimization leading to Applicants’ claimed composition, the burden does not lie on Applicants to disprove unpatentability.

Applicants’ claimed invention is directed to an olefin polymer composition which comprises an olefin polymer and inorganic solvent dispersed in the olefin polymer. A coagulation degree θ of the inorganic solid satisfies the expression $0 > \theta \geq 10$. As previously explained, the parameter θ is a value determined by dividing d by D , where d represents a

dispersion particle diameter of the inorganic solid dispersed in the olefin polymer. The parameter **D** represents a primary particle diameter of the inorganic solid. Further, the inorganic solid is aluminum hydroxide, and the content of aluminum hydroxide contained in the olefin polymer composition is 0.001 to 50 % by weight. The primary particle diameter of the aluminum hydroxide is 0.1 to 300 nm, and the amount of aluminum hydroxide having a dispersed particle diameter within the range of 0.1 to 100 nm is over 70%.

Thus, Applicants' claimed polymer composition achieves excellent properties, particularly dampening properties, because a polymer composition is obtained by finely dispersing an inorganic solid in the olefin polymer at a particular ratio. It is noted that Applicants' claims are not directed to dampening properties, but rather to coagulation degree θ of the inorganic solid determined by a ratio of diameters. These are readily measurable physical properties of the composition. If the cited references were to teach the effect of the coagulation degree θ on dampening properties, then burden might properly shift to Applicants to explain why it would not have been obvious to optimize the claimed parameter.

However, the cited references do not disclose or suggest anything about the relation of the coagulation degree, or even particle geometry, to dampening properties. Accordingly, Applicants respectfully submit that the presently claimed invention is not anticipated or rendered *prima facie* obvious by the cited references. Withdrawal of the rejections is requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Application No.: 10/025,532

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

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